IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Crl.MC.No. 2852 of 2004

MC.327/2003 of SUB DIVISIONAL MAGISTRATE, KOZHIKODE

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PETITIONERS:

1. APPUTTY, S/O.KUTTAYI, AGED 68, NALUPURAKKAL HOUSE, KARANTHOOR AMSOM, KUNNAMANGALAM, KOZHIKODE DISTRICT.

2. ASOKAN, S/O.KUTTAYI, AGED 55, DO. DO.

3. SADANANDAN, S/O.KUTTAYI, AGED 54, DO. DO.

4. VINODKUMAR, S/O.GOPALAN, DO. DO.

BY ADV. SRI.K.MOHANA KANNAN

RESPONDENTS:

1. DAMODARAN, S/O.GANAPATHY, AGED 74, NALUPURAKKAL HOUSE, KARANTHOOR AMSOM, KUNNAMANGALAM, KOZHIKODE DISTRICT.

2. APPUNNY, S/O.GANAPATHY ,AGED 62 , DO. DO.

3. BALAN, S/O.SANKARANKUTTY, AGED 62 , DO. DO.

4. VISWANATHAN, AGED 36, S/O.BHASKARAN, DO. DO.

5. MURALEEDHARAN, AGED 36 , DO. DO.

6. STATION HOUSE OFFICER, MEDICAL COLLEGE POLICE STATION, KOZHIKODE REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

R6 BY PUBLIC PROSECUTOR SRI.P.RAVINDRA BABU
SRI.V.V.SURENDRAN
SRI.P.A.HARISH
SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

Crl.M.C.No. 2852 of 2004

ORDER

Counsel for the petitioners, after advancing arguments for a pretty long time, submits that he may be permitted to withdraw this Crl.M.C. without prejudice to the rights of the petitioners to advance all the contentions that they have raised in this Crl.M.C. before the Sub Divisional Magistrate in the 145 proceedings.

In the result, I dismiss this Crl.M.C. without prejudice to the rights of the petitioners to advance all the contentions that they have raised in this Crl.M.C. before the Sub Divisional Magistrate in the 145 proceedings pending before him, evidenced by Annexure A6.

10th August, 2007 (K.P.Balachandran, Judge)

tkv